THE HONOUABLE SRI JUSTICE V.ESWARAIAH

W.P. No. 21287 of 2006

Date:06-07-2007

Between:

Smt.Dandi Krishnaveni ..
PETITIONER

AND

The Chief Divisioinal Retail Sales Manager M/s. IOC Ltd., Hyderabad and antoher. ..
RESPONDENTS

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ORDER:

The petitioner seeks a writ of mandamus to declare the action of the first respondent as illegal for violation of the condition of the notification dated 29.04.2005 in selecting the second respondent for the dealership of retail outlet (petrol pump) for the location of Malyala village and mandal, Karimngar District.

It is the case of the petitioner that pursuant to the notification dated 29.04.2005 calling for applications for the dealership of Malyala village and mandal, Karimnagar Distirct ear-marked for S.C.(Woman) category, the petitioner and the second respondent had applied for the same. It is stated that the petitioner belongs to scheduled caste woman; whereas the second respondent did not belong to scheduled caste, but she belongs to B.C. "C". Therefore, the petitioner seeks to issue a writ of mandamus directing the respondent No.1 to consider the petitioner's application for the dealership of retail outlet under the S.C. quota for women for the location of Malyala village.

Learned counsel appearing for the first respondent submits that the second respondent produced the caste certificate from the competent authority and the second respondent was already selected for the said retail outlet dealership of Malyala village of Karimnagar District.

Learned counsel for the petitioner further submits that in fact, the second respondent has been converted from scheduled caste to backward community and the marriage certificate goes to show that she belongs to scheduled caste. When the caste certificate issued by the competent authority is subsisting and not cancelled by the competent authority, it is not open for the petitioner to contend in the

writ petition stating that the second respondent does not belong to scheduled caste. Hence, I do not see any merits in the writ petition and the writ petition is liable to be dismissed.

Accordingly, the writ petition is dismissed. No costs.

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V.ESWARAIAH, J.

Date:06.07.2007
CCM